

Application No.: 09/657,336

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Docket No.: 500862001500

REMARKS

Entry of this amendment and reconsideration are respectfully requested. Applicants seek to amend claims 1, 4, 6, 19, 20, 31, 38 and 39 and add new claims 56-75 in order to comply with the Examiner's requirement as to the form of the claims. Support for the amendments is found throughout the specification. The amendment of claims 1 and 19, to recite "albumin" instead of "serum albumin" is found at page 27, line 9, which states: "Thus, peptide-maleimide-albumin conjugates will tend to comprise approximately a 1:1 ratio of peptide to albumin". Also, page 27, line 17 states: "The single free thiol group of albumin, highly conserved among species, is located at amino acid residue 34 (Cys³⁴).". Therefore this amendment after final is proper. Upon entry of this amendment, claims 1, 4, 6, 19, 21, 31, 36, 38-39, and 56-75 will be pending.

As a preliminary matter, Applicants would like to thank the Examiner for the withdrawal of the 35 U.S.C. §103(a) and Non-statutory Double Patenting rejections.

Information Disclosure Statement

Applicants would like to thank the Examiner for entry into the file and consideration of the Supplemental Information Disclosure Statement filed on October 7, 2005.

35 U.S.C. §112, Second Paragraph Rejection

The Examiner has rejected claims 1, 4, 6, 19, 21, 31, 36, 38 and 39 as being "...indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Specifically, the Examiner states: "The claims are confusing because they appear to be directed toward a modified antiviral peptide yet the claimed structural characteristics actually suggest the invention is directed toward a conjugate comprising a modified antiviral peptide and serum albumin."

Applicants assert that the amended claims are definite as written. Applicants respectfully request that the Examiner withdraw this rejection.

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In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.500862001500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 21, 2005

Respectfully submitted,

By 

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